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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,920	02/03/2004	Shinji Hayashi	086142-0633	9767

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FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

SLITERIS, JOSELYNN Y

ART UNIT	PAPER NUMBER
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3616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/769,920

Applicant(s)

HAYASHI ET AL.

Examiner

Joselynn Y. Sliteris

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/27/07 (RCE).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-49 is/are pending in the application.
- 4a) Of the above claim(s) 38-42, 44 and 45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-37, 43 and 46-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/27/07 has been entered.

Election/Restrictions

2. Claims 38-42, 44, and 45 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4/18/06.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 29-32, 34-37, 43, and 46-48 are rejected under 35 U.S.C. 102(b) as being anticipated by Uehara et al. (U.S. Patent 6,113,131), as cited by applicant.

Art Unit: 3616

5. Regarding claims 29-32, 34-37, and 43, Uehara discloses a method of making a cover component 31A (Figs. 4A, 4B) mountable to an airbag system, as in the present invention, the cover component having a tear line 31a, 31b that is torn open when an airbag of the airbag system inflate, comprising:

- providing a die having a core surface having a raised line formed on the core surface;

- providing a moldable material 31A;

- molding said moldable material using said die so as to form a molded material having a recessed line 31b corresponding to said raised line;

- providing a laser, and

- irradiating said molded material using said laser so as to bore a plurality of hollows 31a in said recessed line in said molded material at intervals;

- wherein the cover component 31A comprises only a single layer;

- further comprising the step of attaching said molded material to said airbag system;

- wherein the tear line 31a, 31b extends in an H shape (Figs. 1A, 4A);

- wherein a bottom recess of the recessed line near an end of the recessed line is molded to form a slope about 30° to 60° inclined relative to a back of the cover component (see annotated Fig. 4B attached);

- wherein the recessed line decreases in depth gradually toward an endmost of the tear line;

wherein the tear line further comprises a region of reduced strength shaped so that the tear line is torn open in said region of reduced strength when the airbag inflates;

wherein the region of reduced strength is deeper than other parts of the recessed line;

wherein the region of reduced strength includes at least one hollow that has approximately the same depth as at least one hollow of another part of the recessed line;

wherein the region of reduced strength comprises at least a first hollow that has a ceiling that is approximately equidistant to a front surface of the cover component as a ceiling of at least a second hollow of another part of the recessed line.

6. Regarding claims 46-48, Uehara discloses a method of manufacturing a cover component 31A as in the present invention, the cover component having a tear line 31a, 31b that is torn open when an airbag of the airbag system inflates, comprising:

forming a recessed line 31b at least in a part of the tear line by using a raised line provided on a core surface of a die when the cover component is molded; and

boring hollows 31a in the recessed line at intervals by laser processing;

wherein the cover component 31A comprises only a single layer;

wherein the tear line extends in an H shape (Figs. 1A, 4A);

further comprising forming a bottom recess of the recessed line near an end of the recessed line in a slope about 30° to 60° inclined relative to a back of the cover component (see annotated Fig. 4B attached).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 29-37, 43, and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada et al. (U.S. Patent 5,195,773) in view of Uehara et al. (U.S. Patent 6,113,131), both cited by applicant.

9. Regarding claims 29-37 and 43, Sawada discloses a method of making a cover component 100 mountable to an airbag system, as in the present invention, the cover component having a tear line 2-4 that is torn open when an airbag of the airbag system inflate comprising:

providing a die having a core surface having a raised line formed on the core surface;

providing a moldable material 100;

molding said moldable material using said die so as to form a molded material having a recessed line 5 corresponding to said raised line;

a plurality of hollows 6 in said recessed line in said molded material at intervals (Figs. 2, 3);

wherein the cover component 100 comprises only a single layer (Figs. 2, 3);

further comprising the step of attaching said molded material to said airbag system;

wherein the tear line 2-4 extends in an H shape (Fig. 1);

wherein a bottom recess of the recessed line near an end of the recessed line is molded to form a slope about 30° to 60° inclined relative to a back of the cover component (see annotated Fig. 4 attached);

wherein the hollows 6 extend only partially through the cover component 100;

wherein the recessed line decreases in depth gradually toward an endmost of the tear line (Fig. 4);

wherein the tear line further comprises a region of reduced strength shaped so that the tear line is torn open in said region of reduced strength when the airbag inflates;

wherein the region of reduced strength is deeper than other parts of the recessed line;

wherein the region of reduced strength includes at least one hollow 6 that has approximately the same depth as at least one hollow 6 of another part of the recessed line;

wherein the region of reduced strength comprises at least a first hollow that has a ceiling that is approximately equidistant to a front surface of the cover component as a ceiling of at least a second hollow of another part of the recessed line.

But Sawada does not disclose providing a laser, and irradiating the molded material using the laser so as to bore the plurality of hollows in the recessed line in the molded material at intervals. Uehara discloses that it is known in the art to provide a laser, and irradiate the molded material 31A using the laser so as to bore a plurality of hollows 31a in the recessed line 31b in the molded material at intervals (Figs. 4A, 4B).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to bore the plurality of hollows in the recessed line in the molded material of Sawada using laser according to the teachings of Uehara, in order to facilitate the formation of the plurality of hollows in the recessed line in the molded material and to do it more economically.

10. Regarding claims 46-49, Sawada discloses a method of manufacturing a cover component 100 as in the present invention, the cover component having a tear line 2-4 that is torn open when an airbag of the airbag system inflates, comprising:

- forming a recessed line 5 at least in a part of the tear line by using a raised line provided on a core surface of a die when the cover component is molded;

- hollows 6 in the recessed line at intervals (Figs. 2, 3);

- wherein the cover component 100 comprises only a single layer;

- wherein the tear line extends in an H shape (Fig. 1);

- further comprising forming a bottom recess of the recessed line near an end of the recessed line in a slope about 30° to 60° inclined relative to a back of the cover component (see annotated Fig. 4 attached);

- further comprising forming the hollows to extend only partially through the cover component.

But Sawada does not disclose boring the hollows by laser processing. Uehara discloses that it is known in the art to bore the hollows 6 in the recessed line 5 at intervals by laser processing (Figs. 4A, 4B). It would have been obvious to one having ordinary skill in the art at the time the invention was made to bore the hollows of

Art Unit: 3616

Sawada in the recessed line by laser processing according to the teachings of Uehara, in order to facilitate the formation of the hollows in the recessed line and to do it more economically.

Response to Arguments

11. Applicant's arguments filed 2/27/07 have been fully considered but they are not persuasive.

12. Applicant argues "Uehara discloses a cover component in an instrument panel that is formed by three layers: core layer 22, foamed layer 23, and skin 24 ... Thus, Uehara clearly does not disclose a cover component that comprises "only a single layer" ...".

However, Examiner disagrees and notes that 31A of Uehara meets the broad recitation of "a cover component" that comprises only a single layer. See examiner's new rejection of claims 29-32, 34-37, 43, and 46-48 under 35 U.S.C. 102(b) as being anticipated by Uehara et al. (U.S. Patent 6,113,131) above.

13. Applicant further argues on pages 5-6 of the Remarks, "For example, ... First, the line drawn by the Examiner in the Office Action is not accurate. Figure 4(b) of Uehara appears to have a vertical line along the side of the groove 31b. See Uehara at Fig. 4(b). Second, the angle drawn by the Examiner is based off of a side of the groove 31b, and not "near an end" as required by claim 32."

First, examiner is unclear about the vertical line along the side of the grove 31b

referred by applicant. Second, examiner notes that the angle drawn by the examiner based off of a side of the groove 31b is applicable "near an end" of the recessed line, as broadly recited. Therefore, examiner maintains that the rejection is proper.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joselynn Y. Sliteris whose telephone number is 571-272-6675. The examiner can normally be reached on Mon, Thurs & Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Application/Control Number: 10/769,920

Page 10

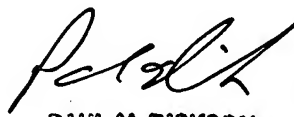
Art Unit: 3616

you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).


Joselynn Y. Siteris
Patent Examiner
Art Unit 3616

3/21/07

JYS
3/21/07


PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

3/21/07

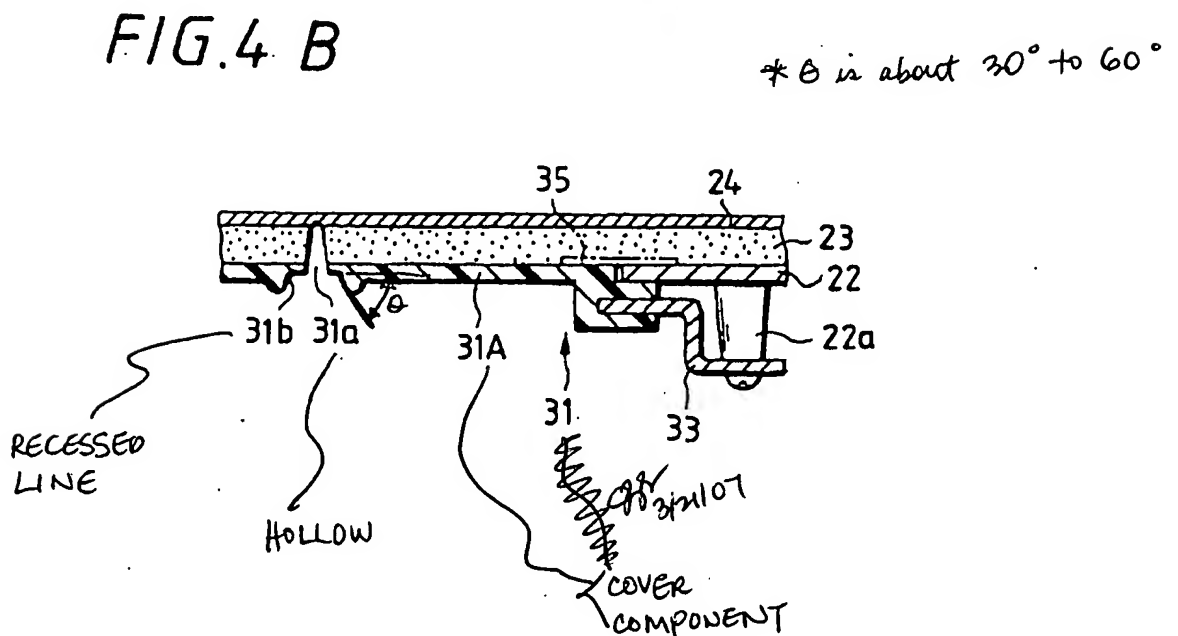
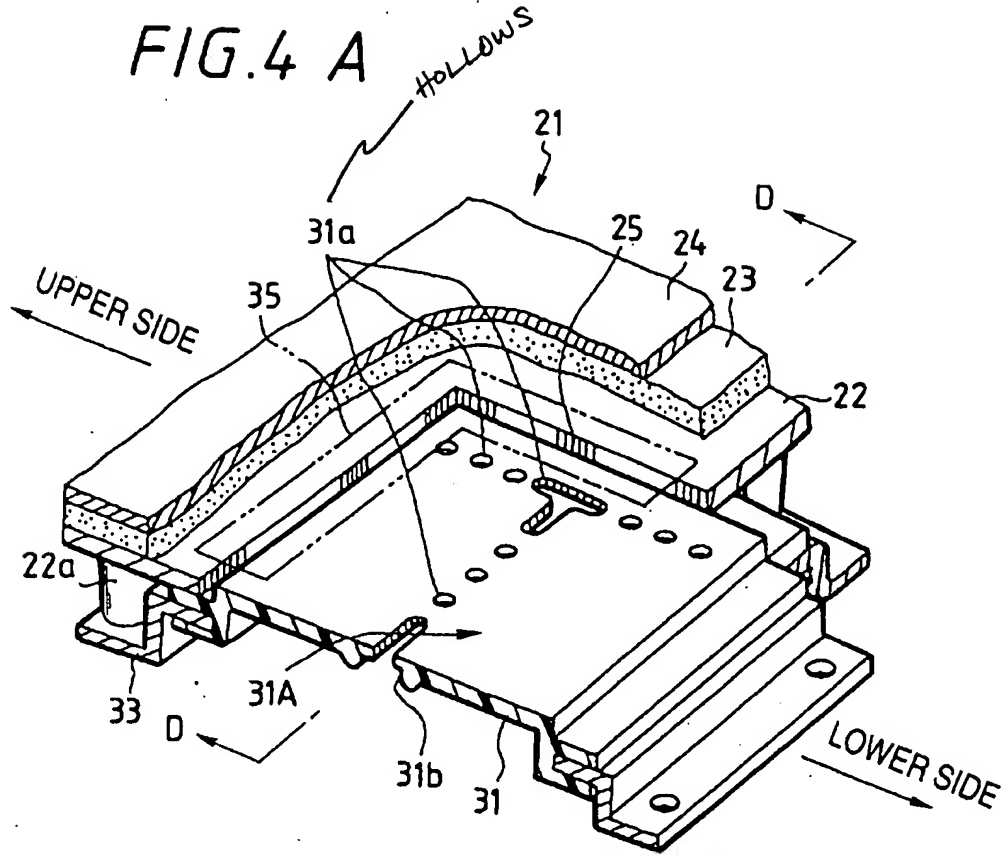


FIG. 2

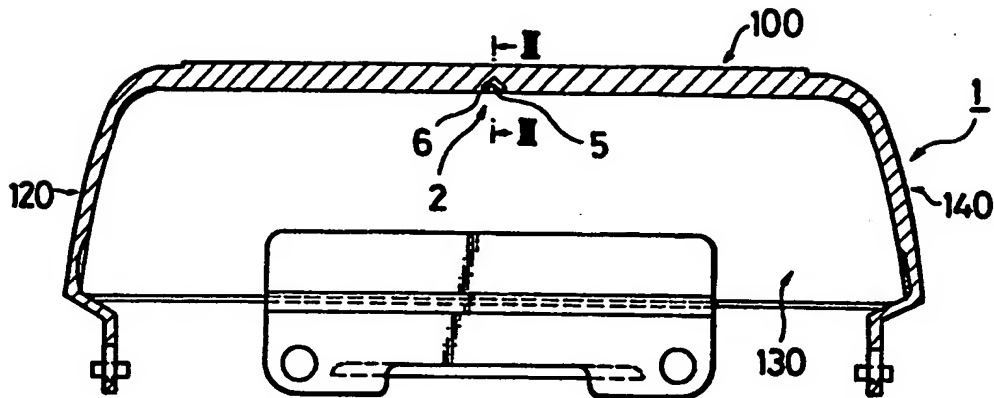


FIG. 3

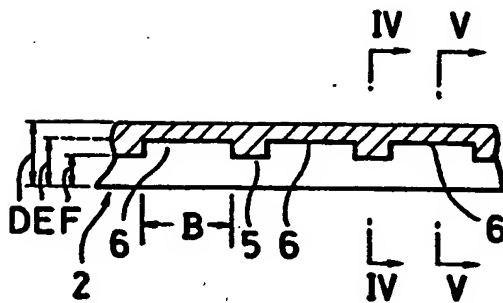
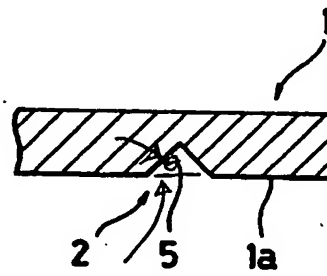


FIG. 4



θ is about 30° to 60°

FIG. 5A

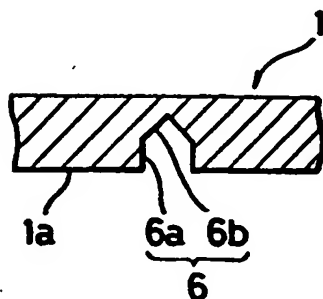


FIG. 5B

